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OLC 75-0286

5 February 1975

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with [REDACTED]
Senate Aeronautical and Space Sciences Committee,
Concerning the Senate Select Committee on Intelligence
Activities

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1. I met with [REDACTED] this afternoon for the purpose of getting his views regarding the Senate Select Committee. [REDACTED] has worked for the past few years on the Minority staff of the Senate Aeronautical and Space Sciences Committee, responsible principally to Senator Barry Goldwater. Senator Goldwater has named him his staff assistant on the Select Committee on Intelligence Activities.

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2. [REDACTED] said that the Republican members of the Select Committee have met and Senator Tower has met at least once with Chairman Church. At the Church/Tower meeting, Senator Tower was informed by Senator Church that he would receive one-third of the Select Committee staff. [REDACTED] explained that under the current ratio of Democrats to Republicans, Minority staff on committees are limited to one-third to one-fourth of the total staff. I said this seemed a little unfair in the Select Committee context since this group is made up of six Democrats and five Republicans. It would seem that the Republicans would be entitled to a larger split. [REDACTED] agreed but said it appears that Senator Tower has accepted the one-third figure.

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3. [REDACTED] said at the meeting of Republican members the subject of security clearance received considerable attention. During the floor debate on the resolution, (S. Res. 21) which established the Select Committee, members indicated that "Q" clearance would be required of

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all staff having access to classified material. At the Republican meeting there was considerable discussion about the distinction between "QF" and "QC" clearances, that is, whether the "Q" clearance would be based on an FBI or a Civil Service investigation. It was agreed, at least by the Republicans, that it would be the former.

4. I talked at some length about the problem of personal staff pointing out that if the members of senator's personal staffs were permitted access to classified Committee material, it would be difficult if not impossible to maintain any security control. [] acknowledged that this was a problem but said under the one-third rule, he thought the Minority members would press to have an arrangement whereby members of their personal staffs could work for them on Committee business, even though they were not on the Committee payroll. I suggested that if this should happen (and I still thought it was a bad idea) it would appear all the more important that the Committee require all staff members to sign a secrecy agreement. [] seemed only lukewarm to this idea but did not rule it out as a possibility. I told [] that the Director's principal concern in the whole area of Committee and Commission investigations centered around the protection of the names of individuals in sensitive positions and confidential sources and contacts of the Agency. STATINTL

5. [] said he thought one recommendation the Committee would make would be the enactment of something comparable to the British Official Secrets Act. I told [] that if this was in fact the case, they should not refer to the Official Secrets Act as a comparison since this brings a very negative reaction from the American press and others. In this connection, I reviewed with [] the work we have done in the preparation of proposed legislation to further protect intelligence sources and methods from unauthorized disclosure. He will be interested in getting into this further as time passes. He said he also feels, however, that the liberal members of the Committee will have to come out of this exercise with something and he feels that perhaps a proposal along the lines of a U.S. intelligence commission might be the result. He has in mind a three-man commission with the commissioners appointed by the President, by and with the advice and consent of the Senate. As [] described it, the function to be exercised by this commission would be something along the lines of that carried out presently by the President's Foreign Intelligence Advisory Board, but would also have more of an "ombudsman" function. This would be a group to which any employee of the intelligence community could go if STATINTL

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he felt that something was happening which was either contrary to law or "wrong." The members of the commission could then look into these allegations to assure themselves, on a continuing basis, that the basic charters of the various intelligence agencies were not being violated and that the basic guarantees of the Constitution were still being adhered to.

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6. [] had very little comment regarding the members of the Committee or other staffers at this point. He did say he thought Senator Tower would be a good Vice Chairman but he added that the knowledge of the intelligence function on the part of the members of the Committee ranged from slight to zero. He said a number of staffers were present with their senators at the meeting of the Minority members but most of them were unknown to him and he did not make a point of getting all of their names.

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7. In summary, [] is concerned about many of the things that we in the Agency are worried about and I think he will be a good point of informal contact. I did make it clear to him, however, that [] [] has been designated by the Director as his personal representative and point of contact with the Committee.

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GEORGE L. CARY
Legislative Counsel

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